Levinson Simon & Sprung, P.C. Summary Report

Report Date: 9/13/2007

Fox Valley Laborers

BARTLETT SEWER & WATER

Case #: FVLAB-0907-687 Audit Period: 1/1/2005 thru 7/31/2007

Page 1

Employees

Others/Unknown

ALL FUNDS EXCEPT DUES, LDCLMCC AND LECET (8010)

Benefit	Year	Amount	Totals
CISCO	2005	5.72	
	2006	0.32	
			6.04
ΙΑF	2005	34.32	
	2006	1.92	•
			36.24
Pension Fund	2005	2,379.60	
	2006	134.40	
			2,514.00
Safety Fund	2005	5.72	
	2006	0.32	
			6.04
Training Fund	2005	97.24	
	2006	5.44	
			102.68
Welfare Fund	2005	3,718.20	
	2006	211.20	
			3,929.40
		=	6,594.40
	Summary	by Year	
ager: Betar, Leia		2005	6,240.80
ditor: Collins, Latonya		2006	353.60
		_	6,594.40

718.25	1,270.75	795.60	663.00	707.20	1,326.00						760.00	6,240.80	
429.00	759.00	475.20	396.00	422,40	792.00						444.60	3,718.20	Welfare Fund
11.05	19.55	12.24	10.20	10.88	20.40						12.92	97.24	Training Fund
.65	1.15	.72	.60	12	1.20						.76	5.72	Safety Fund
273,00	483.00	302.40	252,00	268.80	504.00						296.40	2,379.60	Pension Fund
3.90	6.90	4.32	3.60	3.84	7.20						4.56	34.32	IAF
. 6 5	1.15	.72	.60	64	1.20						.76	5.72	CISCO
December	October November	October	August September	August !	July	June	May	April	March	February	January	Total	Contributions
11.0500	11.0500	11.0500	11.0500	11.0500	11.0500	11.0500	10,0000	10.0000	10.0000	10.0000	10.0000	:	
6.6000	6.6000	6.6000	6,6000	6.6000	6.6000	6.6000	5.8500	5.8500	5.8500	5.8500	5,8500	·	Welfare Fund
.1700	.1700	.1700	.1700	.1700	.1700	.1700	.1700	.1700	.1700	.1700	.1700		Training Fund
.0100	.0100	.0100	.0100	.0100	.0100	.0100	.0100	.0100	.0100	.0100	.0100		Safety Fund
4.2000	4.2000	4.2000	4.2000	4.2000	4.2000	4.2000	3.9000	3.9000	3.9000	3.9000	3.9000		Pension Fund
.0600	.0600	.0600	.0600	.0600	.0600	.0600	.0600	.0600	.0600	.0600	.0600		¥
.0100	,0100	.0100	.0100	.0100	.0100	.0100	.0100	.0100	.0100	.0100	.0100	\$110k \$1.00	CISCO
			!	İ	i i i i i i i i i i i i i i i i i i i							1	Regular
December	October November December	October	August September	August	July	June	May	April	March	February	January		Contribution Rates
				er Hour	Contributions computed by Amount per Hour	s computed	Contribution						
											18010	Road Contract	Contract: Laborers Road Contract #8010
Others/Unknown	_										Year: 2005)907-687	Case #: FVLAB-0907-687

Fox Valley Laborers
BARTLETT SEWER & WATER
Case #: FVLAB-0907-687

Levinson Simon & Sprung, P.C.

Report Date: 9/13/2007 Detail Report

Employees Page 2

Case 1:07-cv-06837

Report Date: 9/13/2007

Others/Unknown

Employees

Page 3

BARTLETT SEWER & WATER

Case #: FVLAB-0907-687

Year: 2005

Contract: Laborers Road Contract #8010

Fox Valley Laborers

Hours Individuals Contributions HERNANDEZ, LUIS HERNANDEZ, LUIS Individuals Total Individuals Total Individuals 6,240.80 6,240.80 572,000 572,000 572,000 Total Total January January 760.00 76,000 760.00 76.000 February February March March April April Contributions computed by Amount per Hour May Ā June June 1,326.00 1,326.00 120.000 120.000 120.000 July ylut August August September 64.000 64.000 707.20 707.20 707.20 September 60,000 663.00 663.00 60.000 October October 72,000 72.000 72.000 795.60 795.60 795.60 November November 115,000 1,270.75 115,000 1,270.75 1,270.75 December December 65,000 65.000 65.000 718.25 718.25

Report Date: 9/13/2007

Others/Unknown

Employees Page 4

Fox Valley Laborers
BARTLETT SEWER & WATER

Contract: Laborers Road Contract #8010

Case #: FVLAB-0907-687

biruary March April May June July .0100 .0100 .0100 .0100 .0100 .0100 .0100 .0600 .0600 .0600 .0600 .0600 .0600 .0600 .0100 .0100 .0100 .0100 5.1000 5.1000 .0100 .0100 .0100 .0100 .0100 .0100 .1700 .1700 .1700 .1700 .1700 .1700 11.0500 11.0500 11.0500 12.5500 12.5500 12.5500 192 134.40 .32 .32 .32 .32 5.44 211.20 .353.60 .353.60 .3600 .3600 .3600	March April May June July .0100 .0100 .0100 .0100 .0100 .0600 .0600 .0600 .0600 .0600 .0100 .0100 .0100 .0100 5.1000 .0100 .0100 .0100 .0100 .0100 .1700 .1700 .1700 .1700 .1700 6.5000 5.6000 6.6000 7.2000 7.2000 11.0500 11.0500 12.5500 12.5500 12.5500 March April May June July 134.40 .32 134.40 .32 5.44 211.20 353.60 353.60	March April May June July .0100 .0100 .0100 .0100 .0100 .0600 .0600 .0600 .0600 .0600 .0100 .0100 .0100 5.1000 5.1000 .0100 .0100 .0100 .0100 .0100 .1700 .1700 .1700 .1700 .1700 6.5000 5.6000 6.6000 7.2000 7.2000 11.0500 11.0500 12.5500 12.5500 12.5500 March April May June July 134.40 .32 .32 .32 5.44 211.20 .353.60 .353.60		353.60	Welfare Fund 211.20	Training Fund 5.44	Safety Fund .32		1.92	CISCO	Contributions Total January February	11.0500 11.0500	Welfare Fund 6.6000 6.6000	Training Fund .1700	20 Safety Fund .0100 .010	Pension Fund 4.2000		CISCO .0100	Regular	Contribution Rates January February
May June .0100 .0100 .0600 .0600 4.2000 5.1000 .0100 .0100 .1700 .1700 6.6000 7.2000 11.0500 12.5500 May June	May June July .0100 .0100 .0100 .0600 .0600 .0600 4.2000 5.1000 5.1000 .0100 .0100 .0100 .1700 .1700 .1700 6.6000 7.2000 7.2000 11.0500 12.5500 12.5500 May June July	May June July .0100 .0100 .0100 .0600 .0600 .0600 4.2000 5.1000 5.1000 .0100 .0100 .0100 .1700 .1700 .1700 6.6000 7.2000 7.2000 11.0500 12.5500 12.5500 May June July									:	11.0500								
June .0100 .0800 5.1000 .0100 .1700 7.2000 12.5500	June July .0100 .0100 .0800 .0800 5.1000 5.1000 .0100 .0100 .1700 .1700 7.2000 7.2000 12.5500 12.5500 June July	June July .0100 .0100 .0800 .0800 5.1000 5.1000 .0100 .0100 .1700 .1700 7.2000 7.2000 12.5500 12.5500 June July]	353.60	211.20	5.44	.32	134.40	1.92	.32	April	11.0500	6.6000	.1700	.0100	4.2000	.0600	.0100	1	April
	July .0100 .0600 5.1000 .0100 .1700 7.2000 12.5500 July	July .0100 .0600 5.1000 .0100 .1700 7.2000 12.5500 July									May	11.0500	6.6000	.1700	.0100	4.2000	.0600	.0100	1	Mav
July .0100 .0600 5.1000 .01700 .1700 7.2000 12.5500 July											June	12.5500	7.2000	.1700	.0100	5.1000	.0600	.0100		June
	August .0100 .0600 5.1000 .0100 .1700 7.2000 12.5500 August	August September .0100 .0100 .0600 .0600 5.1000 5.1000 .0100 .0100 .1700 .1700 7.2000 7.2000 12.5500 12.5500 August September									July	12.5500	7.2000	.1700	.0100	5.1000	.0600	.0100	free	, July
	October .0100 .0600 5.1000 .0100 .1700 7.2900 12.5500 October			1 							November	12.5500	7.2000	.1700	.0100	5.1000	.0600	.0100	100000000000000000000000000000000000000	November
October Novembe .0100 .010 .0600 .060 5.1000 5.100 .0100 .010 .1700 .170 7.2000 7.200 12.5500 12.550 October Novembe	October November .0100 .0500 .0600 .0500 5.1000 5.1000 .0100 .0100 .1700 .1700 7.2000 7.2000 12.5500 12.5500 October November	November .0100 .0600 5.1000 .0100 .1700 7.2000 12.5500 November									December	12.5500	7.2000	.1700		5.1000	.0500	.0100		December

Report Date: 9/13/2007

Others/Unknown

Employees Page 5

Fox Valley Laborers
BARTLETT SEWER & WATER
Case #: FVLAB-0907-687

Case #: FVLAB-0907-687 Year: 2006 Contract: Laborers Road Contract #8010

}					Contribu	Contributions computed by Amount per Hour	ted by Amou	int per Hour					
	Fotal	January	February	March	April	May	June	July .	August	August September October November December	October	November	December
urs		ı											
hers/Unknown													
EWINSKI, P.	32.000				32.000								
Total Others/Unknown	32.000				32,000								
}	32.000				32.000		 						
.				 - - -									
ntributions ners/Unknown	Total	January	February	March	April	Мау	June	July	August	August September	October November December	November	December
EWINSKI, P.	353.60				353.60								
Total Others/Unknown	353.60				353.60			}					
(353,60				353.60								

Levinson Simon & Sprung, P.C. Summary Report

Report Date: 9/13/2007

Page 6

Fox Valley Laborers

BARTLETT SEWER & WATER

Case #: FVLAB-0907-687

Audit Period: 1/1/2005 thru 7/31/2007

Employees Subcontractors

DUES, LDCLMCC AND LECET ONLY (8010)

Benefit	Year	Amount	Totals
Dues	2005	300.27	
	2006	21.11	
			321.38
LDCLMCC	2005	68.64	
	2006	4.80	
			73.44
LECET	2005	28.60	
	2006	2.00	
			30.60
		_	425,42
	Summary	by Year	
Manager: Betar, Leia		2005	397.51
Auditor: Collins, Latonya		2006	27.91
		_	425.42

Employees Subcontractors

Levinson Simon & Sprung, P.C. Detail Report

Report Date: 9/13/2007

Fox Valley Laborers
BARTLETT SEWER & WATER
Case #: FVLAB-0907-687

Contract: Laborers Road Contract #8010

Contributions
computed as
percentage of
of Dollars Paid

11.05	19.55	12.24	10.20	10.88	20.40						12.92	97.24	
3.25	5.75	3.60	3.00	3.20	6.00						3.80	28.60	LECET
7.80	13.80	8.64	7.20	7.68	14.40						9.12	68.64	LDCLMCC
December	October November	October	August September	August	July	June	May	April	March	February	January	Total	Contributions
.1700	.1700	.1700	1700	.1700	.1700	.1700	.1700	.1700	.1700	.1700	.1700		
.0500	.0500	.0500	.0500	0500	.0500	.0500	.0500	.0500	.0500	.0500	.0500	ı	LECET
.1200	.1200	.1200	.1200	.1200	.1200	.1200	.1200	.1200	.1200	.1200	.1200		Regular LDCLMCC
Decembe	October November December	October	August September	August	July	June	May	Apríl	March	February	January		Contribution Rates
				er Hour	by Amount per Hour	s computed	Contributions computed						
34.30	89.08	37.99	31.66	33.77	63,32						38.57	300.27	
34.30	60.68	37.99	31.66	33.77	63.32						38.57	300.27	Dues
Decembe	October November December	October	August September	August	July	June	May	April	March	February	January	Total	Contributions
1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	41	
1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%		Regular Dues
Decembe	October November December	October	August September	August	July	June	May	April	March	January February	January	t	Contribution Rates
			<u>n</u>	Dollars Pai	ercentage of	mputed as po	Contributions computed as percentage of Dollars Paid	Cont					

Total Individuals

300.28

38.57

63.31

33.77

31.66

37.99

60.68 60.68 50.68

34.30

34 39 34 30 November

December

3,467.25

1,959.79

HERNANDEZ, LUIS Individuals Contributions

Total Individuals

Page 8

November

December

3,467.25 3,467.25

1,959.79

1,959.79

Levinson Simon & Sprung, P.C.

Report Date: 9/13/2007 Detail Report

BARTLETT SEWER & WATER Fox Valley Laborers

Contract: Laborers Road Contract #8010 Case #: FVLAB-0907-687

300.28	300.28	Total	17,158.44	17,158.44	17,158.44	Total	
38.57	38,57	January	2,204.00	2,204.00	2,204.00	January	
		January February				February	
		March				March	
		April				April	Contributions computed as Percentage of Dollars Paid
		May				May	computed a
		June				June	ıs Percentaç
63.31	63.31	July	3,618,00	3,618.00	3,618.00	July	e of Dollars
33.77	33.77	August	1,929.60	1,929.60	1,929.60	August	Paid
31.66	31.66	August September	1,809.00	1,809.00	1,809.00	August September	
37.99	37.98	October	2,170.80	2,170.80	2,170.80	October	

Case #: FVLAB-0907-687 Year: 2005 Contract: Laborers Road Contract #8010 Case #: FVLAB-0907-687

Detail Report

Report Date: 9/13/2007

Employees Subcontractors

Page 9

Levinson Simon & Sprung, P.C.

					Contribu	Contributions computed by	ted by Amou	Amount per Hour				!	
	Total	January	January February	March	April	Мау	June	July	August	August September	October	October November December	December
Hours Individuals													:
HERNANDEZ, LUIS	572,000	76.000						120.000	64.0Q0	60,000	72,000	115.000	65.000
Total Individuals	572,000	76,000						120.000	64.000	60.000	72.000	115.000	65.000
l	572,000	76,000						120.000	64.000	60.000	72,000	115.000	65.000
Contributions	Total	January	January February	March	April	Мау	June	July	August	August September	October	November December	December
Individuals HERNANDEZ, LUIS	97.24	12.92						20.40	10.88	10.20	12.24	19.55	11.05
Total Individuels	97.24	12.92						20.40	10.88	10.20	12.24	19.55	11.05
	97.24	12.92						20.40	10.88	10.20	12.24	19.55	11.05

Document 12-2Contributions

6.80

6.80

2.00 4.80 Total

January

February

March

April

May

June

July

August September

October November December

.1700

.1700 .0500

.1700 .1200 .0500

.1700 .0500 .1200

.1700 .0500

4.80 2.00

228/2008

2/28/200tribution Rates

Contribution Rates

Contribution Rates

LECET

January

February

March

April

May

June

July

August September

October November December

Contributions computed by Amount per Hour

.1200

.1200 .1700

.1200 .0500 .1700

.0500 .1700

.1200 .0500 .1700

.1200 .0500 .1700

.1200 .0500 .1700

> .1200 .0500

.1700 .1200

Dues

21.11

21.11 Total

January

February

March

April

May

June

uly

August September

October November December

21.11 21.11 1.750% 1.750%

1.750% 1.750%

1.750% 1.750%

1.750% 1.750%

1.750% 1.750%

1.750% 1.750%

1.750% 1.750%

1.750% 1.750%

1.750% 1.750%

1.750% 1.750%

1.750% 1.750%

1.750% 1.750%

Page 10 Contribution Rates
Page 10 Regular
Dues
Page 10 Regular

January

February

March

April

May

June

July

August September

October November December

Contract: Laborers Road Contract #8010

BARTLETT SEWER & WATER

Case #: FVLAB-0907-687

Fox Valley Laborers

Year: 2006

Contributions computed as percentage of Dollars Paid

Report Date: 9/13/2007	Detail Report

Levinson Simon & Sprung, P.C. Detail Report

Page 10

Subcontractors

Employees

Total Subcontractors

21.11 21.11

21.11

21.11

Subcontractors
*OLEWINSKI, PATR

Contributions

Total

January

October November

December

Total Subcontractors

1,206.00

Total

January

1,206.00 1,206.00

Contract: Laborers Road Contract #8010 Case #: FVLAB-0907-687

Year: 2006

Detail Report

Levinson Simon & Sprung, P.C.

		Repo	Detail Report Report Date: 9/13/2007	on 13/2007			
		Contributions computed as Percentage of Dollars Paid	computed a	ıs Percentage	of Dollars	Paid	
February	March	April	May	June	July	August	August September
		1 206 00					
		1,206.00					
		1,206.00					
February	March	April	May	June	July	August	August September
		21.11					
İ		21.11			; ; ;		

October

November December

Subcontractors

Employees Page 11 Document 12-2

Filed 02/28/2008

Page 12 of 24

Levinson Simon & Sprung, P.C.

Report Date: 9/13/2007

Subcontractors Employees Page 12

Fox Valley Laborers
BARTLETT SEWER & WATER
Case #: FVLAB-0907-687

Contract: Laborers Road Contract #8010

Year: 2006

Detail Report

Н	Total Subcontractors	*OLEWINSKI, PATR	Subcontractors	II	oral Subcontractors	*OLEWINSKI, PATR	Subcontractors	Hours	
6.80		- Properties	Total January February March April May June July August September	40.000	actors 40,000 40,000			August September	
		Company INDVENTION DECEMBER	Oriober Movember				Decelline.	October November December	

Levinson Simon & Sprung, P.C. Summary Report Report Date: 9/13/2007

Page 13 Employees

Fox Valley Laborers

BARTLETT SEWER & WATER

Case #: FVLAB-0907-688 Audit Period: 1/1/2005 thru 7/31/2007

ALL FUNDS EXCEPT DUES, LDCLMCC, LECET AND CAICA

Benefit	Year	Amount	Totals
Pension Fund	2006	707.63	
			707.63
Training Fund	2006	23.59	
			23.59
Welfare Fund	2006	999.00	
			999.00
			1,730.21
	Summary	by Year	
Manager Pater Lain		2006	1,730.21
Manager: Betar, Leia Auditor: Collins, Latonya		=	1,730.21

Case 1:07-cv-06837

Page 14 of 24

Fox Valley Laborers
BARTLETT SEWER & WATER
Case #: FVLAB-0907-688 Contract: ROAD CONTRACT (CAICA)

Year: 2006

Report Date: 9/13/2007 Detail Report

Levinson Simon & Sprung, P.C.

Contributions computed by Amount per Hour

1,730.21												1,730.21	
00.666												999.00	Welfare Fund
23.59												23.59	Training Fund
707.63							, ; ;					707.63	Pension Fund
December	October November December	October	August September	August	July	June	May	April	March	January February	January	Total	Contributions
12.4700	12.4700	12.4700	12.4700	12.4700	12.4700	12.4700						11 1	
7.2000	7.2000	7,2000	7.2000	7.2000	7.2000	7.2000							Welfare Fund
.1700	.1700	.1700	.1700	.1700	.1700	.1700							Training Fund
5.1000	5.1000	5.1000	5.1000	5,1000	5.1000	5.1000							Regular Pension Fund
December	October November December	October	August September	August	July	June	May	April	March	January February	January	1	Contribution Rates

Levinson Simon & Sprung, P.C.

Detail Report

Employees Page 15

Report Date: 9/13/2007

Fox Valley Laborers
BARTLETT SEWER & WATER
Case #: FVLAB-0907-688

Contract: ROAD CONTRACT (CAICA)

II	Total Individuals	OLEWINSKI, PATR	Contributions		Total Individuals	Individuals OLEWINSKI, PATR	Hours	ı
1,730.21	1,730.21	1,730.21	Total	138.750	138.750	138.750	Total	
			January				January	
			January February				January February	
			March				March	
			April				April	Contrib
			May				Мау	Contributions computed by Amount per Hour
			June				June	uted by Amou
			July				July	unt per Hour
		•	August				· ·	
			August September				August September	
			October				October	
			October November December				October November December	
1,730.21	1,730.21	1,730.21	December	138.750	138,750	138.750	December	

Levinson Simon & Sprung, P.C. Summary Report

Report Date: 9/13/2007

Page 16 Employees

Fox Valley Laborers

BARTLETT SEWER & WATER

Case #: FVLAB-0907-688 Audit Period: 1/1/2005 thru 7/31/2007

DUES, LDCLMCC, LECET AND CAICA ONLY

Benefit	Year	Amount	Totals
CAICA	2006	11.10	
			11.10
Dues	2006	76.61 	76.64
LDCLMCC	2006	16.65	76.61
			16.65
LECET	2006	6.94	6.94
		-	111.29
	Summary	by Year	
Manager: Betar, Leia		2006	111.29
Auditor: Collins, Latonya		=	111.29

Employees Page 17

Report Date: 9/13/2007

Fox Valley Laborers
BARTLETT SEWER & WATER
Case #: FVLAB-0907-688

Contract: ROAD CONTRACT (CAICA)

ontributions	
computed	
S	
percentage	
9,	
Dollars	
Pald	

34.69												34.69	
6.94												6.94	רבטבו
16.65												16.65	LDCLMCC
11.10												11.10	CAICA
Decembe	October November December	October	August September	August	July	June	Мау	April	March	February	January	Total	Contributions
.2500	.2500	.2500	.2500	.2500	.2500	.2500							
.0500	.0500	.0500	.0500	.0500	.0500	.0500						ţ	LECET
.1200	.1200	.1200	.1200	.1200	.1200	.1200							LDCLMCC
.0800	.0800	.0800	.0800	.0800	.0800	.0800							CAICA
Decembe	October November December	October	August September	August	July	June	Мау	April	March	February	January		Contribution Rates Regular
				er Hour	by Amount per Hour	Contributions computed	Contribution						
76.61												76.61	
76.61												76.61	Dues
December	October November	October	August September	August	July	June	Мау	April	March	February	January	Total	Contributions
1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	0.000%	0.000%	0.000%	0.000%	0.000%	U	
1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	1.750%	0.000%	0.000%	0.000%	0.000%	0.000%	ı	Dues Dues
December	October November	October	August September	August	July	June	May	April	March	February	January	ı	Contribution Rates
			ā	Dollars Pai	ercentage of	mputed as p	Contributions computed as percentage of Dollars Paid	Con					

Report Date: 9/13/2007

Page 18 Employees

Fox Valley Laborers

BARTLETT SEWER & WATER

Case #: FVLAB-0907-688 Year: 2006

Contract: ROAD CONTRACT (CAICA)

report pare. or or corr

i pra memoradio (0,0)	Total Individuals 76.61	to I had in to	Individuals OLEWINSKI PATR	Contributions Total January February March April May June July August September October Novem	4,377.56	l otal Individuals 4,377.56			Total January February March April May June July August September October Novem	Contributions computed as Percentage of Dollars Paid
76.61	76.61	76.61		ber October November December	4.377.56	4,377.56	4,377.56	- 1	ber October November December	

Filed 02/28/2008

Report Date: 9/13/2007

Fox Valley Laborers
BARTLETT SEWER & WATER

Contract: ROAD CONTRACT (CAICA)

Case #: FVLAB-0907-688

Year: 2006

Levinson Simon & Sprung, P.C. Detail Report

of 24

19 Hours

1 Individuals

OLEWINSKI, PATR
Total Contributions OLEWINSKI, PATR Individuals Total Individuals Total Individuals 138.750 138.750 138,750 34.69 Total 34.69 Total 34.69 January January February February March March April April Contributions computed by Amount per Hour May May June June ylut y V August September August September October October November December November December 138.750 138.750 138.750 34.69 69 34.69

34.69

Employees Page 19

AFFIDAVIT OF PATRICIA M. SHALES

COUNTY OF KANE)
) SS
STATE OF ILLINOIS)

- I, Patricia M. Shales, of full age, being duly sworn on my oath, hereby depose and say as follows:
- 1. I am the Administrative Manager of the Fox Valley Laborers Fringe Benefit Funds, (the "Funds") and in such capacity, have personal knowledge of the matters contained in this affidavit, and if necessary, I could testify to the facts contained herein.
- 2. I have responsibility for maintaining Bartlett Sewer & Water, Inc.'s account with respect to the Funds in this matter. Furthermore, I am in charge of keeping and maintaining records of contribution reports and contributions received by the Funds from each person, firm and corporation required to make contributions to the Funds. I have similar responsibilities on behalf of Plaintiffs for employers who are signatory to collective bargaining agreements with the Laborers' District Council and/or Fox Valley area local unions requiring employer contributions to the Funds.
- 3. Pursuant to the terms of the collective bargaining agreements, signatory employers are required to make contributions to the Funds on behalf of their covered employees.
- 4. Defendant Bartlett Sewer & Water, Inc., (hereinafter "Defendant Company") is signatory on the collective bargaining agreements. As a result, Defendant Company was required to file monthly reports and contribute \$11.07 per hour, per employee to the Funds for relevant periods beginning January 2006; \$12.47 per hour, per employee to the Funds for relevant periods beginning in November 2006; and \$13.87 per hour, per employee to the Funds for relevant periods beginning June 1, 2007.



- Moreover, employers bound by the collective bargaining agreements, for all periods 5. relevant to this lawsuit, have been required to submit \$0.12 per hour worked by their employees for Labor Management Cooperation Committee ("LMCC") contributions, \$0.05 per hour worked by their employees for Laborers-Employers Cooperation and Education Trust ("LECET") contributions and \$0.08 per hour worked by their employees for Chicago Area Independent Contractors Association ("CAICA") contributions. An employee's hourly wages is set forth in the collective bargaining agreement and varies depending upon whether the employee is entitled to overtime or other premiums. Employers bound by the collective bargaining agreements must deduct and remit one and three quarters percent (1.75%) of the employees' gross wages as union dues for periods prior to June 1, 2007 and two and three quarters percent (2.75%) for periods after June 1, 2007.
- Under the collective bargaining agreements and trust agreements, delinquent 6. contributions to the Funds incur liquidated damages of 20% once a lawsuit is filed; delinquent contributions to the ancillary funds and delinquent union dues incur liquidated damages of 10%; and under the labor agreement and trust agreements, employers are liable for interest on delinquent contributions at a rate of 2% compounded monthly until paid, and auditor's fees, attorneys' fees and other costs of collection.
- 7. Notwithstanding its obligations under the collective bargaining agreements, as revealed pursuant to an audit for the period of January 1, 2005 through July 31, 2007, the Defendant Company has failed to timely report and pay contributions and dues owed to the Funds and the Affiliated Organizations, thereby depriving the Funds and the Affiliated Organizations of contributions, income and information needed to administer the Funds, and jeopardizing the welfare and pension benefits of participants and beneficiaries.

Pension (01/05-7/07)	\$	3,221.63
Safety	\$	6.04
Training	\$	126.27
Welfare	\$	4,928.40
CAICA	\$	11.10
CISCO	\$	6.04
IAF	\$	36.24
Dues	\$	397.99
LDCLMCC	\$	90.09
LECET	8	37.54
Subtotal:	\$	8,861.34
Liquidated Damages @ 20%	\$	1,664.74
Liquidated Damages @ 10%	\$	53.76
Interest	\$	4,027.12
Audit Fee	<u>\$</u>	913.54
Total	\$1	5,520.50

9. Under the collective bargaining agreement, Defendant Company must also pay all reasonable attorneys' fees and costs of collection.

I have read the foregoing affidavit and swear that it is true and correct to the best of my

knowledge, information, and belief.

Subscribed and sworn to by Patricia M. Shales, whose signature is known to me, this 28m day of

OFFICIAL

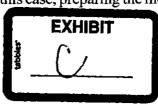
LSA I. CONTRERAS OMMISSION EXPIRES 11/14/2009 * A. LASORERS

AFFIDAVIT OF LAKISHA M. KINSEY-SALLIS

COUNTY OF COOK)
) SS
STATE OF ILLINOIS)

I, LaKisha M. Kinsey-Sallis, of full age, being duly sworn on my oath, hereby depose and say as follows:

- 1. I am an attorney admitted to the regular bar of this Court and the State of Illinois.
- 2. I am an associate in the firm Dowd, Bloch & Bennett where I practice exclusively in the areas of ERISA, labor and employment law. In this position I have responsibility in representing Plaintiffs in case number 07-C-6837.
- 3. This affidavit is based on my personal knowledge and, if necessary, I could testify to the facts contained in this affidavit.
- 4. Through the filing of this motion, the Firm has devoted a total of approximately 15.00 hours to the representation of the Fox Valley Laborers' Health and Welfare Fund and the Fox Valley Laborers' Pension Fund (collectively the "Funds") in connection with this case. This includes time spent conferring with my client, preparing correspondence to my client and to the Defendant and/or a representative for the Defendant, discussing the status of the audit with my client, a representative of the Defendant and the Funds' auditors, reviewing the audit findings, preparing demand letters, preparing the Complaint and related documents, discussing the status of service on the Defendants with the process servers, researching the Defendant Company's corporate structure, researching the status of Company's officers' bankruptcy and/or probate proceedings, preparing the necessary documents to serve the Company through the Secretary of State, preparing the Complaint and related documents, preparing the motion for entry of the default and related documents, appearing in Court and reviewing any Orders entered in this case, preparing the motion for default judgment and related



The rate which our firm charges the Funds for my work is \$155.00 per hour, \$200.00
 for Mr. J. Peter Dowd, \$175.00 for the work of Ms. Michele Reynolds, \$115.00 for the work of law

clerks, and \$95.00 for the work of paralegals.

6. I anticipate I will devote at least three additional hours to the case in preparing for and

attending the hearing on this motion, examining any order or orders that may be entered, informing

my client and the Defendant of the results and engaging in collection efforts on the Judgment; and

I therefore seek recovery on behalf of the Funds, the charge which will be made for three hours of

my time at the applicable rate in addition to the total 15.00 hours described in ¶4, for a total of 18.00

hours.

7. Based on 18.00 hours of work which the firm performed or will perform on behalf

of the Funds, the Funds will incur attorneys' fees in the amount of \$3,380.00.

8. In addition, the Funds have incurred costs in the amount of \$476.17, specifically

\$350.00 for the filing fee, \$11.49 for postage, \$25.00 for process service fees, \$52.68 for LEXIS

research charges, \$27.00 for photocopying charges, and \$10.00 for fees related to service on the

Defendant through the Secretary of State. .

9. Accordingly, the Benefit Funds has incurred or will incur attorneys' fees and costs

in the amount of \$3,856.17.

I have read the foregoing affidavit and swear that it is true and correct to the best of my

knowledge, information, and belief.

Subscribed and sworn to

before me this 27th day of

.

. 2008.

Notary Public

OFFICIAL SEAL"

ANNA MARIE HERNANDEZ

NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 11/7/2009 2